UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/115,273	07/14/1998	MATTHEW J. MASON	063170.6799	1196

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BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

EXAMINER
NGUYEN, CAO H

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 March 2006</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>17-24, 41-48, 65-72 and 81-87</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) <u>17-20, 41-44, 65-68 and 81</u> is/are allowed.

6) ☒ Claim(s) <u>21-24, 45-48, 69-72 and 82-87</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

     1. ☐ Certified copies of the priority documents have been received.

     2. ☐ Certified copies of the priority documents have been received in Application No. _____.

     3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 21-24, 45-48, 69-72 and 82-87 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hayes, Jr. et al. (US Patent No. 6,339,826) in view of Schneider et al. (US

Patent No. 6,105,027).

Regarding claims 21 and 45, Hayes discloses a configuration management system,

comprising: a configuration device configured to perform configuration management functions

on objects within said configuration management system, the objects comprising items that are

associated with the development of a product. the configuration device operable to receive from

a user configuration input related to at least one selected object (see col. 7, lines 1-67); a report

generator configured to produce in response to the configuration input received from the user at

least one of access reports, version control reports and package based reports based on at least

one selected of said objects within said configuration management system. (see col. 18, lines 14-

67 and figure 13

However, Hayes fails to explicitly teach a display device configured to display a

representation of objects in a presentation having a tree display of objects in configuration

management system, and a content display that displays items selected in tree display.

Schneider teaches a display device configured to display a representation of said objects

in a presentation having a tree display of objects in said configuration management system,

and a content display that displays items selected in said tree display (see col. 22, lines 36-61).

A combination of displays items selected of Schneider and the network configuration

administrator of Hayes, would, perform the efficiency of operating the configuration

management interface.

Therefore, it would have been obvious to one of an ordinary skill in the art, having the

teachings of Hayes and Schneider before him at the time the invention was made to modify the

displays items selected of Schneider and the network configuration administrator of Hayes.

Though intended use the actual invention claims it just a configuration device configured to

perform configuration management functions on objects within said configuration management

system.

One would have been motivated to make such a combination for the advantage of

configuring management to perform configuration object presentations on display device;

resulting in an intended use and design choice; and wherein the transmitted information includes

one of an Active X component, Visual Java program, Java applet, and PERL program configured

to utilize the information produced by said configuration device in said presentation (see col. 27, lines 5-50).

Regarding claims 22 and 46, Hayes discloses wherein said report generator generates said access reports when the selected object is one of a user group, object, and environment; said package based reports when the selected object is a package; and said version control reports when the selected object is a package (see col. 15, lines 5-67).

Regarding claims 23-24 and 47-48, Hayes discloses wherein said report generator is configured to produce said reports in InfoReport report formats; and access reports include information indicating which users and user groups have access to execute specified functions in an environment; version control reports include a list of items organized by at least one of version, check out parameters, branches, modification by user, modification by environment, and current release; and said package based reports include a list of items organized by at least one of items modified by packages, packages by state, time in state, and packages by form items (see col. 20, lines 18-64).

Regarding claim 43, Hayes discloses selected configuration management functions include at least one of object state changes, object check-in, object check-out, create package, difference of disparate objects, move package, promote package, demote package, snapshot, approve, list version, list difference, remove item, notify, concurrent merge, cross environment verge, interactive merge, execute user defined process (UDP); and said method further comprises the step of: performing said state changes by drag and drop procedures utilizing said representation of said objects (see col. 21, lines 1-63).

As claims 69-85 are analyzed as previously discussed with respected to claims 21-24.

Claims 86 and 87 differ from claim 21 in that "a registration device configured to register

an application as associated with a type of version; and a view version device configured to,

check out a version from configuration management system, and execute an application

registered as associated with the version checked out" which set to reply upon Hayes (see col.

11-12, lines 1-65).

Allowable Subject Matter

Claims 17-20, 41-44, 65-68 and 81 are allowed over the prior art.

Response to Arguments

Applicant's arguments filed on 08/31/05 have been fully considered but they are not

persuasive.

In response to applicant's argument on pages 23-24 that there is no suggestion to

combine the references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention where

there is some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re*

Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21

USPQ2d 1941 (Fed. Cir. 1992). In this case, Hayes discloses a configuration device configured

to perform configuration management functions on objects used in combination of Schneider's a

display device configured to display a representation of objects in a presentation having a tree

display of objects in configuration management system, and a content display that displays items

selected in tree display. One skilled in the art would have been obvious to provide a display

device configured to display a representation of objects in a presentation having a tree display of

objects in configuration management system, and a content display that displays items selected

in tree display as taught by Schneider client-server system of Hayes in order to provide a user

interface is painted by a tree rendering component that allows intuitive navigation and

interpretation of the tree structure.

A combination of displays items selected of Schneider and the network configuration

administrator of Hayes, would, perform the efficiency of operating the configuration

management interface. Though intended use the actual invention claims it just a configuration

device configured to perform configuration management functions on objects within

configuration management

In response to applicant's argument that on page 16 the first paragraph of the remarks;

Applicant argues that the combination of Hayes and Schneider do not teach or suggest

"configured to perform configuration management functions on objects within the configuration

management system." However, the limitations as claimed which broadly read on Hayes "FIG.

1 shows one high level view of an intended environment for practicing the invention. A network

is provided for interconnecting a plurality of user stations, such as desktop personal computers,

mobile laptop computers, workstations, an administrator's station and a server. Network might

include wide area networking for entities such as corporations that have geographically

dispersed sites that are still included within the system. There is no intent to limit the

environment in which the invention might be practiced; indeed, a network of any type that

interconnects many types of stations is envisioned. A high-level diagram of the profile

management administrative operating environment is shown in FIG. 2. An administrator client

network computer is represented on the left and a server for the system is on the right. The

client and server communicate via a network represented. The particular example of FIG. 2

assumes that the client computer is a system administrator's computer. Profile manager on the

client side allows the administrator to configure user applet preferences at both user and group

levels. The administrator can create new users and group hierarchies, add users to different

groups, specify applet permissions for each group and for individual users. And the

administrator can configure applets in the context of an individual user or a group. The

administrator can add, delete and reset passwords for users. Profile management support is

transparent to the general user. The administrator can invoke the profile manager in the context

of any user or group. Only the administrator can change from his/her context to administer

clients (users) and groups. The server will not allow a user without administrative authority to

switch context. When a request comes into the server, it will query the authenticated ID of the

user trying to access this function. If the user does not possess administrative authority, the

Profile Manager Servlet will reject the request. Profile manager invokes other applets, such as

applet1, as shown in FIG. 2. In this example, applet1 might be the administrative applet for

configuring preferences related to user desktops. Or applet1 could be a configuration utility

related to an end user applet, such as editors, word processors, databases, etc. It is preferred, but

not required, that configuration applets such as exist as modules separate from their

corresponding user applets. Applet1 is typically a configuration applet for a user applet; the

administrator runs the configuration applet applet1 under a group context to set group

preference and permission defaults, or in a user context to customize user applet configurations

for an individual. By implementing applet1 as a module separate from its user applet,

performance is enhanced, since the configuration applet1 will likely be small compared to the

user applet. Also, separate configuration applets allow the administrator to control the end

user's ability to configure the user applet" see Hayes col. 7, lines 33-67 and col. 8, lines 6-37.

In response to applicant's argument that on page 16 the first paragraph of the remarks;

Applicant argues that the combination of Hayes and Schneider do not teach or suggest "the

display of object in a configuration management system"; however, the limitations as claimed

which broadly read on Schneider "FIG. 10 shows the display used to define information sets.

Here, window contains a hierarchical list of information sets and window contains a

hierarchical list of the available resources. The hierarchical list of information sets and the

hierarchical list of available user groups made in the same fashion as the list of user groups.

Again, information sets and available resources over which the user of display has

administrative authority appear in black; the other items on the list appear in gray. In

window the available resources are the Internet and the two locations that make up VPN. In a

more developed VPN, the list of available resources would indicate servers at the location,

services in the servers, and the information items provided by the services. All of the policy

displays have the same general format: a window which contains a hierarchical display of user

groups, a window which contains a display of a hierarchy of objects for which policy may be

defined and a policy definition window which contains access policy definitions. In the

hierarchy of objects, objects for which the user of display has the right to define policies appear

in black; the others appear in gray. In display, what is being defined is access policies, so the objects are information sets; see Schneider col. 23, lines 14-67.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
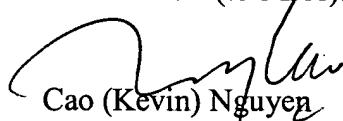
Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173